

## **APPENDIX A DESIGN AND CONSTRUCTION DOCUMENTS AND FORMS DESIGN-BID-BUILD**

### **AUTHORITY:**

SC Code § 11-35-2010 (2) provides that the Chief Procurement Officer may adopt contracting documents for use in procurement of design and construction services.

SC Code § 11-35-3040 Permits state construction contracts to include provisions for adjustments in prices, time of performance, and appropriate remedies for delay or non-performance, termination for default, and termination for convenience.

SC Reg. 19-445.2145(E) sets forth-mandatory contract document for use on design-bid-build projects.

### **A.1.1 PROFESSIONAL SERVICES**

A. LAND SURVEYOR CONTRACT: The agency may use a letter contract written for each individual project. OSE must approve the format and description of services.

#### **B. ARCHITECT ENGINEER:**

1. CONTRACTS GREATER THAN \$25,000: The agency must use AIA Document B151 - 1997, with Article 12, Other Conditions or Services as prepared by the State Engineer and Article 13 prepared by the agency or Architect-Engineer.
2. CONTRACTS FOR \$25,000 OR LESS: The agency may use a letter contract written for each individual project. OSE must approve the format.
3. ARCHITECT ENGINEER/CONSTRUCTION MANAGEMENT AGENCY: For the Architect-Engineer, the agency may use B141/CM, with Article 15 prepared by the State Engineer and Article 16 prepared by the agency or Architect-Engineer. For the managers, it may use AIA Document B801, with Article 16 prepared by the State Engineer and Article 17 prepared by the agency or construction manager.
4. FORMS FOR USE IN PROCURING AND ADMINISTERING PROFESSIONAL SERVICES: The Agency should use the following OSE Forms:
  - SE-210, Invitation for Professional Services
  - SE-212, Notification of Selection for Interview
  - SE-214, Conflict of Interest & Confidentiality Certification
  - SE-215, Architect/Engineer Evaluation
  - SE-217, Architect/Engineer Selection Committee Summary
  - SE-219, Notification of Selection for Contract Negotiation
  - SE-220, Professional Services Selection Approval Request
  - SE-230, Transmittal of Small Professional Service Contract
  - SE-260, Request for Authority to Amend a Professional Services Contract
  - SE-271, Design Documents Transmittal Form

### **A.1.2 CONSTRUCTION CONTRACTOR:**

A. CONTRACTS GREATER THAN \$50,000: The Agency must use the following:

1. Instructions to Bidders: AIA Document A701, with 00201-OSE Standard Supplemental Instructions to Bidders. The Agency may insert additional supplemental instructions into Article 9 of 00201-OSE.
2. Contract for Construction: AIA Document A101 - 1997 with 00501-OSE Standard Modifications to AIA A101 – 1997.
3. General Conditions of the Contract for Construction: AIA Document A201-1997 or AIA A201/CMA (Construction Management Agency), with 00811-OSE Standard Supplementary Conditions. The Agency may insert additional supplemental conditions into Article 15 of 00811-OSE.
4. Forms for construction procurement and administration:
  - a. OSE Forms
    - SE-310, Invitation for Construction Bids
    - SE-330, Bid Form
    - SE-335, Bid Bond
    - SE-355, Performance Bond
    - SE-357, Labor & Material Payment Bond
    - SE-370, Notice of Intent to Award
    - SE-380, Request for Authority to Execute a Construction Contract
    - SE-390, Notice to Proceed
    - SE-480, Construction Change Order

b. AIA Forms (optional OSE forms set forth in A.1.5 below may be used at the Agency's option in lieu of applicable AIA forms by setting forth the which forms will be used in Article 15 of 00811-OSE):

- G702-1992, Application and Certificate for Payment
- G703-1992, Continuation Sheet (*for application for payment*)
- G704-2000, Certificate of Substantial Completion
- G706-1994, Contractor's Affidavit of Payment of Debts and Claims
- G707-1994, Consent of Surety to Final Payment
- G714-2001, Construction Change Directive
- G715-1991, Instruction Sheet and Attachment for ACORD Certificate of Insurance

**A.1.3 REQUIRED OSE PERMITS AND CERTIFICATES:** The Agency must use the following OSE Forms:

- SE-385, Building Permit
- SE-590, Certificate of Occupancy
- SE-900, Application for Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)
- SE-901, Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)

**A.1.4 SOLE SOURCE & EMERGENCY PROCUREMENTS:** The Agency must use the following OSE Forms:

- OSE/MMO #102, Justification for Sole Source Procurement
- OSE/MMO #103, Justification for Emergency Procurement

### **A.1.5 OPTIONAL OSE FORMS**

A. PROFESSIONAL SERVICES (an Agency planning to use these optional forms in its contract administration should so state in Article 13 to AIA Document B151-1997).

- SE-250, A/E Payment Request
- SE-290, A/E Performance Evaluation
- SE-295, Assessment of Damages – Professional Services Contract
- SE-712, Agreements for Gifts in the Form of A/E Services

B. CONSTRUCTION CONTRACTOR (an Agency planning to use optional contract administration forms in its contract administration should so state in Article 15 of 00811-0SE).

- SE-311, Request for Minor Construction Quotes
- SE-331, Quote Form
- SE-350, Questionnaire for Contractors
- SE-405, Substantial Completion Agreement
- SE-420, Construction Change Directive
- SE-470, Notice of Claim
- SE-490, Assessment of Contract Liquidated Damages
- SE-495, Contractor Performance Review
- SE-550C, Request for Substantial Completion, Contractor
- SE-550A, Certificate of Substantial Completion, A/E
- SE-560C, Certificate of Final Completion by Contractor
- SE-710, Agreement for Gifts in the form of Construction

# OSE FORMS

Design-Bid-Build  
In Alpha-Numeric Order